



March 30, 2007

---

---

## ENGROSSED HOUSE BILL No. 1477

---

DIGEST OF HB 1477 (Updated March 28, 2007 2:01 pm - DI 110)

**Citations Affected:** IC 35-46.

**Synopsis:** Self-service cigarette displays. Prohibits a retail establishment from selling cigarettes through a self-service display.

**Effective:** July 1, 2007.

---

---

**Mays, Austin, Frizzell**

(SENATE SPONSORS — SIMPSON, RIEGSECKER)

---

---

January 23, 2007, read first time and referred to Committee on Public Policy.  
February 13, 2007, reported — Do Pass.  
February 20, 2007, read second time, ordered engrossed. Engrossed.  
February 26, 2007, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

March 5, 2007, read first time and referred to Committee on Commerce, Public Policy and Interstate Cooperation.  
March 29, 2007, reported favorably — Do Pass.

---

---

C  
o  
p  
y

EH 1477—LS 7715/DI 77+



March 30, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1477

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-46-1-11.8 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2007]: **Sec. 11.8. (a) As used in this section,**  
4 **"self-service display" means a display that contains cigarettes in an**  
5 **area where a customer:**

6 (1) **is permitted; and**

7 (2) **has access to the cigarettes without assistance from a sales**  
8 **person.**

9 (b) **This section does not apply to a self-service display located**  
10 **in a retail establishment that:**

11 (1) **has a primary purpose to sell cigarettes; and**

12 (2) **prohibits entry by persons who are less than eighteen (18)**  
13 **years of age.**

14 (c) **The owner of a retail establishment that sells or distributes**  
15 **cigarettes through a self-service display, other than a coin operated**  
16 **machine operated under IC 35-46-1-11 or IC 35-46-1-11.5, commits**  
17 **a Class C infraction.**

EH 1477—LS 7715/DI 77+



C  
o  
p  
y

- 1           (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected
- 2           under this section must be deposited in the Richard D. Doyle youth
- 3           tobacco education and enforcement fund (IC 7.1-6-2-6).

**C  
o  
p  
y**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1477, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

VAN HAAFTEN, Chair

Committee Vote: yeas 7, nays 0.

---

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred House Bill No. 1477, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1477 as printed February 14, 2007.)

BECKER, Acting Chairperson

Committee Vote: Yeas 8, Nays 0.

C  
o  
p  
y

